

HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

R.S.A No.3827 of 2006 (O&M)

Date of decision : 6.3.2007

Dina Nath

.....Appellant

versus

Smt.Amar Devi and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA.

Present : Mr.Robin Dutt, Advocate for the appellant.

* * *

ORDER

HEMANT GUPTA, J.

C.M.No.9743-C of 2006

For the reasons mentioned in the application, the delay of 347 days in filing the appeal is condoned, subject to all just exceptions.

R.S.A.No.3827 of 2006.

The plaintiff is in second appeal aggrieved against the judgment and decree passed by the Courts below, whereby his suit for possession of land measuring 8 kanals, was dismissed.

It has been found that in the village, there are two persons having identical parentage. The plaintiff is unnecessarily showing him to be son of Nand Lal alias Nand Singh so that he can usurp land of Nand Singh and that the plaintiff has failed to prove that he is related in any manner with Nand Singh and that Nand Singh son of Karam Singh was none else but his deceased father. The said finding of the learned First Appellate Court is based on proper appreciation of evidence.

I do not find any illegality or irregularity in the findings recorded by the Courts below, which may give rise to any substantial question of law in second appeal.

Dismissed.

March 6, 2007
**mohinder*

(HEMANT GUPTA)
JUDGE